

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL GARCIA,

Plaintiff,

-against-

THOMAS, et al.,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 01/13/2023

21-CV-636 (GBD) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

Plaintiff Daniel Garcia, proceeding *pro se*, commenced this action pursuant to 42 U.S.C. § 1983 on January 21, 2021, alleging that defendants, who are staff and administrators at the Anna M. Kross Center on Rikers Island, failed to protect him from harming himself during his detention. (Dkt. 1.) Defendants – Correctional Officers Thomas and Joseph, Captain Guerra, and Assistant Deputy Warden Blatz, represented by the New York City Law Department (Law Department) – filed their answer on July 26, 2021. (Dkt. 24.)

On December 16, 2022, I directed the parties to submit a joint status report by December 23, 2022. (Dkt. 48.) On December 23, 2022, defendants filed a status report without input from plaintiff because they were unable to reach him. (Dkt. 49.)¹ That day, I scheduled a conference for January 25, 2023 to set a schedule for the remaining pretrial proceedings in this case. (Dkt. 50.) I also advised the parties that, if any party cannot attend the conference on the date and time at which it is scheduled, that party may request an adjournment by letter. (*Id.*)

On January 10, 2023, the December 23 order was returned undeliverable. On January 12, 2023, the December 16 order was returned undeliverable. (*See* Dkt.)

¹ Plaintiff provided a telephone number on his last change-of-address form, filed on January 13, 2022. (Dkt. 37.) However, that number is presently not in service. (*See* Dkt. 50.)

It is therefore ORDERED that plaintiff must promptly update his contact information by submitting a change-of-address form to the Pro Se Intake Unit.

Should plaintiff fail to update his contact information or fail to appear at the in-person hearing scheduled for January 25, 2023, at 10:00 a.m. in Courtroom 20A of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007, he risks the imposition of significant sanctions, including dismissal of his case.

Dated: New York, New York
January 13, 2023

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge